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11 Attorneys for Defendants
12 IMPAX LABORATORIES, INC., LARRY HSU, and
ARTHUR A. KOCH

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

14

DENIS MULLIGAN, Individually and on
Behalf of All Others Similarly Situated,

15

Plaintiff,

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vs.

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IMPAX LABORATORIES, INC., LARRY
HSU, and ARTHUR A. KOCH

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Defendants.

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LATHAM & WATKINS LLP

ATTORNEYS AT LAW

SAN FRANCISCO

Case No.: 13-cv-01037-EMC

**STIPULATION AND [PROPOSED] ORDER
REGARDING CONTINUING INITIAL
CASE MANAGEMENT CONFERENCE**

Class Action

1 HAVERHILL RETIREMENT SYSTEM,
2 Individually and on Behalf of All Others
3 Similarly Situated,

4 Plaintiff,

5 vs.

6 IMPAX LABORATORIES, INC., LARRY
HSU, and ARTHUR A. KOCH

7 Defendants.

Case No.: 13-cv-01566-EMC

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1 Lead Plaintiff Boilermaker Blacksmith National Pension Trust, by and through its
 2 respective counsel (“Plaintiff”), and defendants Impax Laboratories, Inc., Larry Hsu, and Arthur
 3 A. Koch, by and through their respective counsel, (collectively, “Defendants”), hereby stipulate
 4 to the following:

5 WHEREAS, on March 7, 2013, Plaintiff Denis Mulligan, individually and on behalf of
 6 all others similarly situated, filed a complaint captioned *Denis Mulligan v. Impax Laboratories,*
 7 *Inc. et al.*, No. 13-cv-01037, a putative class action under the Private Securities Litigation
 8 Reform Act of 1995 (the “PSLRA”) alleging securities fraud (the “*Mulligan* matter”);

9 WHEREAS, pursuant to the March 7, 2013 Case Management Conference Order, the
 10 Initial Case Management Conference for the *Mulligan* matter was initially scheduled for June 6,
 11 2013;

12 WHEREAS, on April 8, 2013, Plaintiff Haverhill Retirement Center, individually and on
 13 behalf of all others similarly situated, filed a complaint captioned *Haverhill Retirement System v.*
 14 *Impax Laboratories, Inc. et al.*, No. 13-cv-01566, also a putative class action under the PSLRA
 15 alleging securities fraud (the “*Haverhill* matter”).

16 WHEREAS, pursuant to the April 8, 2013 Case Management Conference Order, the
 17 Initial Case Management Conference for the *Haverhill* matter was initially scheduled for July 12,
 18 2013;

19 WHEREAS, on April 19, 2013, and April 22, 2013, Plaintiffs Haverhill and Mulligan,
 20 respectively, stipulated with Defendants to continue the Initial Case Management Conferences in
 21 their respective matters until after the Defendants filed an answer, which would follow any
 22 ruling on Defendants’ motion to dismiss (the *Mulligan* matter, Dkt. #15 ¶ 9; the *Haverhill*
 23 matter, Dkt. #16 ¶ 9);

24 WHEREAS, pursuant to those stipulations, on April 25, 2013, the Court reset the
 25 respective Initial Case Management Conferences for November 7, 2013 (the *Mulligan* matter,
 26 Dkt. #15; the *Haverhill* matter, Dkt. #16);

27 WHEREAS, on July 2, 2013, the Court consolidated the *Mulligan* and *Haverhill* matters
 28 and appointed Boilermaker Blacksmith National Pension Trust as Lead Plaintiff (Dkt. #53);

1 WHEREAS, on August 27, 2013, Lead Plaintiff and Defendants stipulated, and the Court
2 ordered pursuant to such stipulation on August 28, 2013, for Defendants' motion to dismiss to be
3 filed on or before November 14, 2013 (Dkt. #62);

4 WHEREAS, in order to avoid the unnecessary expenditure of the Court's and parties'
5 resources prior to the filing of and ruling on Defendants' motion to dismiss, the parties agreed
6 and the Court set the Initial Case Management Conference for April 17, 2014 (Dkt. # 80).

7 WHEREAS the Court reset the Initial Case Management Conference from April 17, 2014
8 to April 15, 2014 (Dkt. # 83);

9 WHEREAS, Lead Counsel for Defendants has a previous engagement outside the State
10 of California on April 15, 2014;

WHEREAS, the parties agreed that April 24, 2014, at 9:00 a.m. is a mutually convenient date for the Case Management Conference;

WHEREAS, this Stipulation and Order is without prejudice to, or waiver of, any rights, arguments, or defenses otherwise available to the parties to this action.

15 NOW THEREFORE, the undersigned parties, by and through their counsel of record,
16 stipulate as follows:

17 The Initial Case Management Conference, currently scheduled for April 15, 2014 is
18 continued to April 24, 2014, at 9:00 a.m.

20 | DATED: March 17, 2014

GOLD BENNETT CERA & SIDENER LLP **LATHAM & WATKINS LLP**

By: /s/ Solomon B. Cera
Solomon B. Cera

*Counsel for the Boilermaker Blacksmith
National Pension Trust and Liaison Counsel
for the Class*

COHEN MILSTEIN SELLERS & TOLL PLLC

Steven J. Toll (admitted *pro hac vice*)

By: /s/ Peter A. Wald
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Inc., Larry Hsu, and Arthur A. Koch,*

8 *Counsel for the Boilermaker Blacksmith
National Pension Trust and Lead Counsel for
the Class*

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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DATED: 3/25/14



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SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing Stipulation and [Proposed] Scheduling and Rescheduling Initial Case Management Conference Order. Pursuant to General Order No. 45, Section X(B) regarding signatures, I, Peter A. Wald, attest that concurrence in the filing of this document has been obtained.

DATED: March 17, 2014

/s/ Peter A. Wald
Peter A. Wald (Bar No. 85705)